

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1033 – HB 2019

April 7, 2011

SUMMARY OF AMENDMENT (005795): Specifies it is not a defense to prosecution for the Class B felony of bribery of a public servant that the person who sought to influence a public official did so on behalf of a union or employee organization for purposes of an organizing campaign or any other lawful purpose. Expands the Class D felony of intimidating others from exercising civil rights to include a person who damages, harms, injures, or threatens to injure or coerce a business, or any employee or representative of the business with the intent to unlawfully intimidate the business or its employees from exercising their rights under federal or state law in an effort to obtain something of value for a union or employee organization. Expands the Class D felony of extortion to include a person who uses coercion with the intent to restrict a business, or the owners or employees of a business from exercising their rights under federal or state law in an effort to obtain something of value for a union or employee organization. Expands the Class C misdemeanor of disorderly conduct to include a person who, in a public place and with the intent to cause public annoyance or alarm, engages in threatening and violent behavior such as picketing, mass picketing, or the targeted picketing of a residential structure not also used as a place of business, that creates a public safety risk.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions applied to amendment:

- According to the Department of Correction, the proposed bill does not expand the scope of the current criminal code regarding bribery, extortion, civil rights intimidation, disorderly conduct, or riots. The prohibited conduct applies to activities undertaken by, or on behalf of, organized labor. The proposed bill will not have a significant impact on incarceration costs for the Department.
- According to the District Attorneys General Conference, the proposed bill will have a minimal effect on its caseloads.

- There will not be a sufficient increase in the number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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